

TALAVERA HOMEOWNERS ASSOCIATION, Inc.

ARCHITECTURAL GUIDELINES

February 2013 (Revised)



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Section 1 – DEFINITIONS

The “Architectural Review Committee” shall also be known as the “ARC”.

“Community Documents” is defined to include any and all of the following Talavera documents: the Declaration of Covenants and Restrictions (hereinafter, the Declaration), the Articles of Incorporation, the Bylaws, Rules and Regulations as promulgated from time to time, as well as these Architectural Guidelines as modified from time to time.

“Exterior Alterations” shall include alterations, changes, modifications, improvements and additions to the exterior of the premises, be they on the exterior of the building or anywhere on the lot. The use of the words alterations, changes, modifications and additions in the same manner as exterior alterations shall mean the same.

Section 2 - PURPOSE of THESE ARCHITECTURAL GUIDELINES

The community documents create standards to assure each owner that the quality of the Talavera community will be maintained. The authority of the Board of Directors is set forth in the Declaration, the Articles of Incorporation and the Bylaws, including the right to establish the Architectural Review Committee and to create these Architectural Guidelines.

The principle purpose of these Architectural Guidelines is to inform homeowners of the design requirements for Talavera and the procedures to be followed before making an exterior modification to their property. The creation and enforcement of the provisions in the Architectural Guidelines should serve to assure homeowners those community standards of design and quality will be maintained. This protects property values and enhances the overall environment of Talavera. As such, these Architectural Guidelines should be viewed as a benefit and not a burden to the community.

This document is intended to facilitate the identification, enforcement and resolution of any architectural, landscape, or other violations of the architectural rules as outlined in the various governing documents of the community. These Architectural Guidelines are not intended to or supersede the requirements stipulated in the Declaration of Covenants, Conditions and Restrictions, the Articles of Incorporation or the Bylaws, but rather should be considered a supplement to said documents.

Florida statutes, Palm Beach County ordinances, and the community documents of Talavera are incorporated by reference into these Architectural Guidelines.

Section 3 - ARCHITECTURAL REVIEW COMMITTEE OVERVIEW

The ARC is responsible to ensure that exterior alterations in Talavera comply with the provisions in the community documents, including these Architectural Guidelines, and with community standards.

The ARC is responsible for evaluating whether exterior alterations to a home or lot comply with specific sections of these Architectural Guidelines and other community documents, and whether exterior alterations maintain community standards of the highest quality. Items that exist on the exterior of a resident’s home or lot which do not comply with specific sections or with the clear intention of these Architectural Guidelines may be sited as being in violation.

The approval by the ARC of plans or specifications submitted by one homeowner shall not be deemed to be a waiver by the ARC of the right to object to any of the features or elements if the

same features and elements are included in any subsequent plans and specifications submitted for approval for use on other homes.

The ARC shall meet as necessary, with proper notice, in order to review all submitted applications by the deadline established. The ARC can delegate its authority to one or more members to act on behalf of the ARC as needed and when necessary.

Section 4 - RESPONSIBILITIES of ARCHITECTURAL REVIEW COMMITTEE

On behalf of the Association, the ARC is empowered to take the following action:

- Apply the provisions established by the Board of Directors in these Architectural Guidelines and the provisions of other Talavera community documents as they pertain to exterior alterations.
- Recommend to the Board of Directors changes to these Architectural Guidelines.
- Recommend to the Board of Directors the establishment of rules for the submission of plans and specifications.
- Establish rules with respect to the form and content of plans and specifications to be submitted to the ARC.
- Approve or disapprove applications for exterior alterations with a recommendation to the Board of Directors.

Section 5 - LIMITATION of RESPONSIBILITIES of ARCHITECTURAL REVIEW COMMITTEE

The ARC assumes no liability with regard to the structural integrity of any improvements that are the subject of an application. The ARC makes no representation as to its expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on submitted plans or on the ultimate construction of the approved modification. The ARC does not assume responsibility for the performance or quality of work of any contractor.

All contractors hired to perform work that is subject to ARC approval must be properly licensed and insured. (For use of any Heavy Equipment. All contractors must have current valid proof of general liability coverage of one (1) million dollars, if the contractor does not have this coverage amount they may contact their insurer and request increased coverage during their project in Talavera.) Any contractor who does not fulfill this insurance coverage requirement will have their application denied. The HOA and the home owner who is having work done including each adjacent home owner on each side of the property should be listed as covered entities on the policy.

Section 6 - STANDARDS to be USED by the ARCHITECTURAL REVIEW COMMITTEE

The ARC shall regulate the external appearance, use and maintenance of improvements in such a manner as to comply with and meet community standards. The ARC shall evaluate all submissions based on the individual merits of each application. In addition to evaluation of the particular design proposal, this includes consideration of the characteristics of the individual site and lot size. The following criteria are general in nature and apply to all of the dwellings in Talavera.

Relation to Open Space

Factors that may be considered include but are not limited to the addition or removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off that may adversely affect neighboring properties, common areas, preserve, and easement areas.

Conformance with Covenants

Applications shall be reviewed to confirm the request is in conformance with all Talavera community documents.

Design Compatibility

The proposed alteration must be compatible with the architectural and individual characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of material, color and construction details and in accordance with the design specifications as provided herein. The proposed alteration requested must also be sound and appropriate to its surroundings.

Location and Impact on Neighbors

The proposed alteration should relate favorably to the landscape, the existing structures and the neighborhood. The primary concerns are access, view, sunlight and drainage. For example, the ARC shall be concerned with whether fences or landscaping may obstruct the views from neighboring properties and whether additions or changes may encroach upon a neighbor's privacy.

Section 7 - ARCHITECTURAL REVIEW COMMITTEE MEMBERS and PROCEDURES

The ARC shall consist of no less than three (3) members. The ARC shall meet as necessary to review completed applications that are received and to approve or disapprove them within thirty (30) days of receipt. Meetings shall be held in person and proper notification shall be made pursuant to relevant Florida statutes. The President of the Homeowner's Association has the right; power, authority and obligation to appoint and remove at will the chairperson and the members of the ARC.

The ARC only makes a recommendation to the Board for final approval or denial.

Section 8 - WHEN APPROVAL IS REQUIRED

ALL requests for exterior alterations MUST be submitted to the ARC and be approved BEFORE the alterations may be undertaken. The only exceptions to the requirement of pre-approval are for those items expressly enumerated in these Architectural Guidelines.

No building, outbuilding, garage, fence, wall, retaining wall, landscaping, pool, spa, porch, screened enclosure **or any other structure, improvement, or exterior alteration of any kind** shall be erected, constructed, placed, altered, changed, or modified on any property unless the same shall be approved in writing by the ARC pursuant to these Architectural Guidelines. The foregoing approval also applies to painting the exterior of a dwelling and any other maintenance, repair, alteration or modification **which changes the exterior appearance** of a dwelling or other improvements on a unit or the surrounding property.

Gutters and hurricane shutters do not require ARC approval provided they match the house trim colors; however the homeowner must obtain approval from Palm Beach County for the hurricane shutters.

Approval of the ARC is not required for normal maintenance and making repairs that do not change the original look, color or style of the structures, landscaping or items requiring repair. Where there is conflict or confusion as to whether an application and ARC approval is required, that conflict or confusion shall be resolved in favor of requiring the application and the approval.

If unapproved work is begun or completed, removal of or repair to such work shall be at the sole expense of the homeowner, including, without exception, all legal fees and other costs required to defend said homeowner or the association from any legal matters arising from any unapproved work.

Section 9 - ARCHITECTURAL CHANGE FORM

An Architectural Change form (also known as an “application” and as an “ARC form”) is required whenever a homeowner seeks to **change** any landscaping, **add additional** landscaping, build or modify any structure or make any exterior alterations to the existing unit, unless specifically exempted within these Architectural Guidelines. Those exterior alterations include the addition of what some people may consider temporary or removable items.

Applications may be obtained from the offices of the management company or from the community web site at www.mytalavera.org, or as otherwise directed by the Board of Directors.

All applications shall be signed by at least one owner of the subject lot/home, or in the case of a corporation or trust, by an authorized agent. Applications shall not be accepted from tenants.

In cases where ARC application review is required to remedy violations as a condition precedent to selling a home which will result in the Homeowners Association obtaining past due funds, the ARC may permit the submission of an application and act on the same. In other situations where a homeowner seeks ARC approval of an exterior modification and an approval will result in the Homeowners Association receiving overdue funds or correcting a situation that is the subject of litigation or meditation, the Board of Directors can direct that the application be reviewed.

Completed applications can be hand delivered or sent to the management company, which shall then forward them to the ARC for review at its next scheduled meeting. It is the responsibility of the homeowner to acquire a date-stamped receipt from the management company. The 30 day period for review shall begin to run when a complete application is stamped as received in the offices of the management company.

A *clean and readable* property survey must be included, when applicable, with all applications showing the location of existing structures and the boundaries of the property. Proposed exterior alterations should be indicated, including dimensions and distances from the home and adjacent properties. Landscaping changes should be indicated and detailed as well. Any changes to existing planting beds must also be noted.

A graphic description of the request should be provided. This may be in the form of photographs, manufacturer’s literature, and freehand or mechanical drawings by the homeowner or a contracted company. The amount of detail should be proportionate with the complexity of the proposal. The greater the number of relevant details that are presented in an application, the more

information the committee will have in analyzing the suitability of the exterior alterations requested.

Written comments from neighbors and other homeowners concerning proposed changes **may be furnished** to the Management Company. These comments **may be** considered during the review process by ARC. The comments of neighbors and other homeowners shall only be advisory and not determinative as to whether approval of an application shall be given. The ARC shall make its decisions based on standards set forth in the community documents.

The determination of whether sufficient detail is included in the application shall be in the sole discretion of the ARC, and if it is determined that it is not sufficient, the application will not be considered complete.

Upon approval by the ARC, a copy of the applicant's application cover page bearing such written approval shall be returned to the applicant within ten (10) business days. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded unilaterally by the ARC, provided that all representations in the application are accurate and there has been compliance with all conditions of approval. However, a homeowner can apply to the ARC to make modifications or changes to an application that has already been approved and the ARC can grant such modifications and changes based on the guidelines set forth in the community documents.

If an application is disapproved, a request can be resubmitted with appropriate changes made. If an application is disapproved a second time by the ARC the applicant may file a formal request to the Board of directors to review the application and consideration of the application. This in no way guarantees approval but provides the home owner the ability to be heard and the home owners plan to get another higher ruling decision or recommendations by the board to assist the home owner in meeting community standards.

Section 10 - APPLICATION and DEPOSITS

Security deposits shall be required for owners making exterior alterations of a larger scale, e.g., additions, pool, spa, fences and alterations requiring the use of heavy trucks or machinery that may damage common or other areas. The determination of whether a project is large scale shall be made by the ARC.

Any owner wishing to make an improvement that falls into one of the categories in the next paragraph shall submit a check for the amount of the deposit with their application to the ARC. Said deposit is intended to cover the cost of incidental damage to association property or to adjacent lots or homes by virtue of such owner's construction or improvements. After the approved work is performed and an inspection is made by the Board of Directors or its designated agent, the amount of the deposit shall be returned, after deducting any costs for damage and inspection, if required, by a professional engineer or inspector.

The following is a list of security deposit amounts that may be required:

- | | |
|---|---------|
| • Pool | \$3000 |
| • Spa (single or addition to pool or pool remodeling) | \$1500 |
| • Additions to home | \$4,000 |
| • New Construction | \$5,000 |
| • Regarding property and exterior alterations that require the use of heavy machinery | \$500 |

- Heavy machinery includes backhoes, bobcats, etc...
- Landscape that requires the use of heavy machinery \$ 500
- Fence addition or removal, screen enclosure addition or removal \$ 250
- Other work requiring the use of machinery \$ 500
- Other work requiring dumpsters, temporary storage containers (PODS) \$1,000

If a security deposit is required, no work on the subject property can begin until the security deposit fee has been paid.

The ARC shall have the discretion to determine whether a security deposit is required for the improvement requested. The ARC shall also have the discretion to increase, decrease or waive the above fees at the time of application review, as circumstances warrant.

Regarding past practice of application fee's associated with the ARC applications;

***As of July 16, 2012 the Board of Directors has designated there shall no longer be an application fee for any such submissions or requests. This does not however waive the fact you must at least submit an application albeit with no fee for review and approval or disapproval.

Section 11 - PERMITS

After receiving approval from the ARC, the applicant may also be required to obtain a permit from Palm Beach County. If there is any cost for the county permit this shall solely be burdened by the home owner/ applicant. The applicant must determine whether this requirement applies to the requested modification and if so, the permit must be obtained before work can begin. If a permit is required, upon receipt of the permit, the homeowner shall forward a copy of it to the management company to be placed in the homeowner's file with the original application. Failure to do so may delay or prevent final approval.

Section 12 - TIME LIMITATIONS

All improvements and exterior alterations must be completed within ninety (90) days from the date work is begun on the project. Applicant must provide start date prior to beginning work on applied project. . In situations where a permit is required, an application for a permit shall be submitted to the ARC within thirty (30) days prior to starting any work on project. . All improvements and exterior alterations shall be completed within ninety (90) days from the date of the issuance of the permit, except construction of swimming pools shall be completed within one hundred twenty 120 days from the date of the issuance of the permit. A reasonable extension can be requested from the ARC and approved for good cause. A \$20 per day fine may be assessed on projects which remain uncompleted for periods of time longer than noted, which are visually objectionable, that are a nuisance. For those that are deemed a safety hazard for neighbors and the community a \$75/day fine may be imposed. Determination of whether a project is uncompleted after the permitted time period for completion as well as whether a project is visually objectionable, a nuisance or a safety hazard shall be in the sole discretion of the ARC. The ARC may establish a more specific time for completion of a project as a condition of its approval.

In the event the ARC fails to approve or disapprove a complete application for exterior alterations within thirty (30) days of receipt of said request, approval shall be deemed to have been granted. The applicant must call management company to inquire of status, if management company is

unable to provide answer the management company must contact Board for status and notify applicant of status of application as approved, disapproved or still pending decision..

The ARC shall have the right to not approve applications and label them "pending status" in order to request additional information from the applicant or others. If this action is taken, the applicant must submit the requested additional information. Alternatively, with the consent of the applicant and a majority of the ARC members present at an authorized meeting, if there is additional information requested by the ARC, the application can be put on hold while the additional information is obtained. In no event can the additional time period extend to more than sixty (60) days from the first date of review. If more than the additional sixty (60) days is needed, a new application must be submitted

Section 13 - INSPECTION OF ONGOING WORK

Submission of an application by a homeowner grants the right to have periodic inspections made by the ARC and/or the management company while work is in progress to determine compliance with the approved plans and with provisions of the community documents. *This inspection is not meant to be in lieu of a professional inspection and shall not be relied on by the homeowner as evidence of satisfactory compliance with the application or approval.* The ARC and an agent or agents of the ARC shall not be deemed to have committed a trespass or other wrongful act by reason of such inspection. At least three (3) days prior to any inspection by the ARC or by the management company, notice to the homeowner of intent to inspect, Including date and time of such inspection shall be delivered to the homeowner. In unusual or exigent circumstances, the "at least three (3) days prior" notice requirement may be reduced to one (1) day. Home owner has the right to request to be present and request an appropriate time for them to be present during any inspection by an ARC member. A **mutually agreed on time** must be made within 14 days of requested permission to inspect by ARC member. If applicant/home owner is unable to agree on a mutual time within 14 day period from time of request the home owner waives their right to be present as sufficient time was allotted to meet during those 14 days. Home owner may not make request after sunset or before sunrise but may make inspection time after normal work day hours to be present although no later then 8PM during summer months or 6 PM during fall and winter months.

Section 14 - JOB SITE CONDITIONS

All job sites shall be kept in a neat and orderly condition as determined by the ARC. The homeowner is responsible to have the exterior of the home and common areas adjacent to the home raked, broom cleaned and hosed down as needed at the conclusion of each day when interior or exterior work has been performed at the home. The area to be cleaned includes streets and sidewalks in front of and adjacent to the subject premises.

The ARC has the right to initially issue a warning to home owner of its intent to use part or all of the security deposit paid by a homeowner to secure and/or clean a job site and the surrounding area if such is not properly maintained by the homeowner. If after 14 days the homeowner has not complied with warning the ARC committee may use the security deposit

At the discretion of the ARC, fencing may be required to be installed around the site of certain large projects.

If a portable toilet is at a site during the course of an interior or exterior alteration, the ARC can require that the toilet be screened and placed in the least objectionable location. This may

include facing the door of the portable toilet away from the street and other homes, erecting plywood walls around the three non-door sides, placing materials around the toilet to screen it, or other reasonable methods.

Construction hours shall be restricted to Monday through Saturday, 8:00 a.m. to 6:00 p.m.

No construction vehicles, storage boxes, etc. may remain after hours without approval. ARC approval is required before dumpsters, portable toilets and other construction items and machinery are permitted to be kept on site overnight or for an extended period.

All construction operations must comply with state & local government ordinances. Work permits must remain posted until job completion.

Section 15 – MAINTENANCE of APPROVED EXTERIOR ALTERATIONS

Any and all exterior alterations that have been approved and are installed must be maintained in a proper state of repair.

Section 16 - VIOLATIONS

If any alteration or modification to a property is made without the required written consent of the ARC, the alteration is deemed to have been undertaken in violation of the community documents. An unapproved exterior alteration “may be required” to be removed until approval by the ARC is granted. In no event may any alteration or modification be allowed to remain if it is in violation of any of the covenants and restrictions contained in the Declaration or in violation of any zoning or building ordinance or regulation.

The Association is empowered to enforce its policies, as set forth in the community documents, Palm Beach County ordinances, and Florida statutes, including an action in a court of law to ensure compliance. The Association also has the right to levy a fine and request full reimbursement of all costs incurred by the Association on exterior alterations made without the written request and approval of the ARC.

Section 17 - LANDSCAPING

All individual lots and common areas were landscaped at the time of construction in compliance with a master landscaping plan set forth by the developer and approved by Palm Beach County.

Any and all exterior alterations to this existing plan must be submitted to the ARC for approval prior to implementation.

Tree removal or relocation requires approval

Landscape maintenance that involves the use of machinery, including lawn mowers, blowers and hedge trimmers, shall be restricted to Monday through Saturday, 8:00 a.m. to 7:30 p.m. and Sunday, 9:00 a.m. to 5:00 p.m.

Plantings on common grounds must are not permitted.

- Plantings may be placed around utility boxes to screen them.

- Prior to any plantings being placed in utility easements, homeowners shall contact all applicable utility companies, including but not limited to water, electric, cable and telephone companies, to ascertain the location of underground utility lines, to insure that no digging will disrupt any utility service, and to ascertain if there are any restrictions as to the type of landscaping that can be planted or the location of that landscaping. The homeowner shall be responsible for any damage to utility lines and irrigation systems.
 - For the ease of customers in our area, the utility companies use the services of Sunshine Energy, whose phone number is 1-800-432-4770. If you call Sunshine Energy they will send a technician to mark all underground utility lines. There is no fee to the resident as the utility companies pay for this service.
- Approval of plantings on utility easements shall not in any way make the Homeowners Association or the ARC liable for any damage to utility lines or future damage caused to plantings if they must be removed to access the utility easement.

Residents are responsible for cutting off small branches that grow on the trees at the curb line so that there is no branch growth from the ground to approximately six (6) feet high. Tree branches shall be trimmed so that they do not unreasonably interfere with pedestrians on the sidewalk.

Plant material killed by frost, freeze, drought or other means must be replaced within two (2) months.

Annual Plantings must be removed by the homeowner at the end of the planting season.

All mechanical equipment (air conditioners, pool pumps, pool heaters, generators, ground mounted and near ground mounted satellite dishes, etc.) must be fully screened with landscaping.

Maintenance, care and watering of all trees and plantings on the homeowner's lot as well as the swale between sidewalk and street are the responsibility of the homeowner.

Section 18 - PROHIBITED PLANTS and TREES

Non-native invasive plants are not permitted.

Non-native invasive plants that are not permitted include but are not limited to the following:

- Cogon grass
- Brazilian Pepper Tree
- Australian Pine
- Old World Climbing Fern
- Carrot wood
- Air Potato
- Bischofia
- Chinaberry
- Skunk Vine
- Tropical Soda Apple
- Cat claw Mimosa
- Melaleuca
- Australian Paperback
- Chinese Tallow
- Earleaf Acacia

- Schefflera

Other plant and tree varieties shall not be planted because of various problems they cause. These include but are not limited to:

- Ficus Trees,
- Running Bamboo.

Section 19 - LANDSCAPE BORDERS, ROCK, MULCH

Landscape borders, rock and mulch shall be consistent with the look of the community (cobblestone and natural rock appearance) and shall consist of neutral colors that blend with the home.

Section 20 - GARDEN ORNAMENTS, SCULPTURE, WATER FEATURES and YARD ART – FRONT GARDEN

All garden ornaments, statues, water features, and yard art must be of a natural/neutral coloring.

Planters, wall art or decorations that are not to be placed in the garden, but that will be in the front of the home and visible from the street cannot be installed or placed on the property without ARC approval. The number of attached planters, yard art and decorations shall be at the discretion of the ARC based on the individual characteristics of the home and the size of the items to be displayed.

The effect of fountains, waterfalls, and other features on neighboring properties shall be taken into account prior to approval.

Landscape ornaments of a religious nature and other items of a religious nature shall not be displayed in front of the house where easily visible from the street, unless otherwise provided by law.

Lawn/garden ornaments, statues, water features and yard art, or what they depict, may not be offensive or objectionable or not in keeping with the community standards.

Exterior furniture, benches, chairs, tables, and potted plants that blend with the overall appearance of Talavera in color (neutral or natural colors) and style may be placed on the front porch and on the paver entryway of a home without the need for ARC approval. Placement of these items at any other location in the front of a home, including on the driveway, requires ARC approval.

Fountains, bird baths, sculptures and the like of white, blue or non-natural colors including bright stone, and fountains, bird baths, sculptures and the like that appear to be plastic may not be displayed in the front garden or in front of a home.

No artificial plants or trees shall be permitted on the exterior of any portion of the property.

Barbeque units and other cooking devices shall not be left in front of residences overnight.

Permanent Items:

All **permanent** items require approval of the ARC.

Section 21 - AWNINGS and TINTING

Awnings shall not be permitted on the front or sides of homes. Rear awnings are subject to ARC approval as to size, type, material, color, etc. Awnings must be natural or neutral in color. Complete details must be submitted with the Architectural form request.

Section 22 - PAINTING, WOOD FAUX PAINT and DECORATIVE SHUTTERS

The painting, staining or varnishing of the exterior of the home, including doors, may be approved if the color and style are consistent with the existing home. The original paint color schemes provided to the original purchasers shall be maintained and shall be the basis for determining consistency with existing improvements. Exterior doors, garage doors, and shutters may be wood faux painted.

Wood faux painting of exterior doors, garage doors and shutters requires ARC approval. A sample of the colors to be used must be submitted with the request. In addition to the color sample, a homeowner may provide the address of another homeowner with the same colors that are to be used.

Wood faux painting of exterior doors, garage doors and shutters and replacement of doors and shutters must be in keeping with the general appearance of the home and the community with regard to style, color and size.

A list of original paint colors is available from the ARC upon request.

Section 23 - FENCES

Approval for new fencing and fence modification shall be limited to the color bronze, black or, brown. Exceptions shall not be permitted. The height of fences shall be five (5) feet or consistent with neighboring fence. However, if the fence serves as a pool barrier and the county requirements are in excess of this minimum, the county required height shall be permitted.

The only type of fence allowed is aluminum rail fence. Posts shall not extend higher than the top rail.

When a fence is installed on a side yard or a corner lot where the fence is visible from the street, that visible portion of the fence must be screened with plantings on the street side of the fence. Those plantings must have an expected growth height of at least two (2) feet. . If trees or non-hedge bushes are used to screen the fence, the height of the trees is not restricted to the top of the fence.

No fences shall be permitted on the portion of corner lots which cross a utility easement. If a fence is approved, the owner shall be responsible to meet all county requirements, including but not limited to proper permitting and surveying.

Section 24 - SCREEN ENCLOSURES and PATIOS

Application for a screen enclosure on an existing porch / patio must be submitted to the ARC for approval and shall be limited to screen meshes on the enclosure which are a standard dark color, i.e. charcoal, bronze or black.

Large screened enclosures / structures which are addition to existing structure or taller than 1 story require an application and may be deemed an "add on" feature of dwelling requiring a deposit as such.

All enclosures shall be limited in color to bronze, black or brown. Exceptions shall not be permitted.

Kick plates may be approved which are no higher than 24" above the patio and/or pool deck.

Obscure screen materials shall not be permitted.

No enclosures shall be permitted at the front entries.

Rear and side setbacks for non-enclosed pools, pool decks and non-pool decks shall comply with the Palm Beach County code.

Section 25 - MAILBOXES

Mailboxes and posts shall be installed under the direction of the Homeowners Association and shall not be removed, altered or modified by a homeowner. Replacement mailboxes and posts to match in style, color, size and installation with existing mailboxes is the responsibility of the homeowner. No application is required to paint mail box or post but color must match original color of mailbox which is consistent throughout the community. Color of the mailbox will be "black" in either a satin or gloss finish. Mailbox parts and or replacement can be obtained from The Beautiful Mailbox Company (305) 403-4820 / 2360 West 76th Street. Hialeah, Florida 33016. The Beautiful Mailbox Company has parts listed under the "Talavera Association" and can also be contracted directly for service needs.

Section 26 - PROPANE CYLINDERS, TANKS and GENERATORS

Temporary propane cylinders shall not be placed on the outside of a home, except that a propane cylinder up to 20 pounds and one spare tank up to 20 pounds used for a barbeque can be kept. One other exception is additional 20lb tank maybe used on the side or rear of the home in Mosquito traps designed and approved to use Propane or CO2 tank. Mosquito traps of this nature should be secluded behind shrubs and not be in front of house.

Permanently installed whole house generators that run on gasoline or diesel fuels shall not be permitted.

Section 27 – SIGNS

Signs in Talavera shall be limited to either one security or video surveillance-CCTV sign in the front yard of a residence and one sign in rear. Signs in yard should be on home owner's property and not in common area. No other signs, except as further described in this section, shall be allowed unless approved by the Board of Directors or unless otherwise provided by Florida law.

Temporary Open House real estate signs may be displayed in the home's front yard, around the community, including on and around the landscaped berm areas outside the community along Palamino Road for no more than six (6) hours during any twenty-four (24) hour period.

Temporary signs promoting a company performing exterior work on the premises may be displayed in the front of a home during the time period of the actual project. And performing work at the home. The sign can be no more than eight (8) square feet in area. The sign shall be placed parallel with the front of the house so that the sign faces the street.

No signs of any kind shall be placed in the entrance and guard house, except authorized notifications of Homeowners Association meetings.

Section 28 - DRIVEWAYS, WALKWAYS and ROADWAYS

Changes, modifications and additions to driveways require ARC approval. Approval for widening of driveways for most homes may be considered if the proposed width extends no more than three feet (3') beyond the outside width of the garage door on each side. This measurement of the outside width of the garage door shall be made by drawing a line perpendicular with the garage door and starting at the outside edges of that garage door. Driveways can extend no more than three feet (3') beyond those lines. Pavers shall be in keeping with the community and in the same neutral color palette.

Approval for widening of driveways on irregular or oversized lots and lots which are on turns in the roadway may be given even though not within the specific guidelines of the first paragraph. Due consideration must be given to how the change will impact the overall look of the driveway, the home and the surrounding area, as well as ingress to and egress from the driveway. Any exterior alterations must take into consideration the landscaping at the site, with an intention to assure a lush and pleasant look. The modification to the driveway shall not be approved if it will result in a "parking lot" appearance at the home.

If expansion of the driveway requires removal of existing planting beds, plantings shall be relocated, as approved by the ARC.

Approval is not required for sealing, cleaning or refinishing of driveways or walkways, provided it shall not change the original look of the pavers provided by builder.

Section 29 - SPA and POOL CONSTRUCTION

No swimming pool, spa or similar structure shall be installed or placed on property without ARC approval.

An application shall include detailed plans, a clear and readable survey, and the contractor's license and insurance.

No above ground swimming pools of any kind shall be permitted.

Setbacks, as required by county code, shall be enforced and shall be noted on the plans.

The plan must include proper landscape screening for all pumps, heaters, etc.

Plans for the expansion and construction of a patio shall be included and detailed.

Removal of trees and other landscape elements due to construction shall be requested and replacement or relocation plans detailed.

Landscape screening may be required for items such as slides and waterfalls. Set backs shall be maintained.

The permit shall be posted at all times during construction.

Temporary, plastic or inflatable type child pools may be temporarily set up without approval.

Section 30 - CONVERSION of GARAGE

Conversion of garages to living space shall not be permitted.

Section 31 - ROOF CHANGES

Metal and aluminum roofs shall not be permitted.

Only replacement roofs substantially the same in style, material and color shall be permitted.

Section 32 - ACCESSORY ALTERATIONS

Any exterior alterations to the original dwelling hardware and accessory alterations shall be consistent with the community standards. Requests to make exterior alterations shall be submitted to the ARC.

Replacements or alterations to original doors, window frames, exterior lighting fixtures, street numbers, gutters, downspouts due to malfunction, wear, etc. can be made without approval, provided the replacement matches the item's original appearance in style, color and size. Replacements that do not match the original as to style, color, and size require approval of the ARC.

All original window frames, exterior lighting fixtures, street numbers, gutters, downspouts, etc. shall only be changed as to style, color or size with the approval of the ARC.

Section 33 - ANTENNAS and SATELLITE DISHES

No exterior television or radio masts, towers, poles or antennas shall be erected.

Satellite dishes shall not exceed 18 inches diameter.

A satellite dish shall be installed in a manner that limits the view to it from the street and from another lot as much as possible. Given a choice of installation locations with similar reception and installation cost, a homeowner shall use the following considerations listed in priority order in deciding the placement of the satellite dish:

1. Choose the location that is the least obvious from the street.
2. Choose the location that is the least obvious from the lot of adjacent neighbors

Satellite dishes shall not be placed on the front of a home.

All wiring shall be unobtrusive and hidden from view.

Section 34 - SOLAR ENERGY DEVICES

Solar energy devices for heating of domestic or pool water shall be permitted. These solar energy devices shall be installed in a manner that limits the view of it as much as possible from the street and from other lots. Given a choice of installation locations with similar functionality and installation cost, a homeowner shall use the following considerations listed in priority order in deciding the placement of the solar energy devices:

1. Choose the location that is the least obvious from the street.
2. Choose the location that is the least obvious from the lot of lake lot owners.
3. neighbors

The device, mounting hardware and all other components of the system shall match as closely as possible to the existing background on which it is mounted. If there are no colors similar to the existing background, black shall be considered the preferred color.

Section 35 - FLAGPOLES and FLAGS

No flagpoles are permitted.

The display of a flag of the United States and other flags in a respectful manner shall be permitted if the display conforms to section 720.304(2)(a) of the laws of the State of Florida. No other flags shall be permitted to be flown on the exterior of a home or to be placed in a window so that it is visible from the exterior.

The following is the text of section 720.304(2)(a) of the laws of the State of Florida (as of August 2008):

Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association.

Section 36 - TENTS AND TRAILERS

Tents and canopy shelters shall not remain erected for more than forty-eight (48) hours in any six (6) month period. Approval to erect a temporary tent or canopy shelter is not required.

Tents and canopy shelters that are to remain in place longer than forty-eight (48) hours in a six (6) month period shall require ARC approval.

No trailers, shacks, or temporary buildings, except temporary tents and canopy shelters, shall be constructed, erected or otherwise placed on a lot.

Utility/storage sheds shall not be permitted.

Section 37 - EXTERIOR LIGHTING and HOLIDAY LIGHTING

Only white, frosted white or clear light bulbs shall be permitted to be used in permanent exterior light fixtures. Bulb wattage shall not exceed 100 watts; bulbs less than 60 watts are preferred.

Landscape lighting, including tree and pathway lighting, does require ARC approval.

Landscape lights, reflective elements, etc, shall not be permitted on grassy swales, the area between the sidewalk and the road.

Landscape lighting that lines the sidewalk in front of the house by the swale shall not be permitted, even if installation would be on the resident's property

Generally, landscape lighting shall not be permitted if the top of the fixture is more than twenty-four (24) inches above the ground, and hardware shall be limited to neutral colors and colors that blend with existing trim colors in the community. The ARC may make exceptions for good cause.

Additional house lighting, fixtures, etc, requires ARC approval

.

Exterior lighting shall not shine into neighbors' yards or windows and lights shall not be set in such a way as to create a nuisance.

Section 38 - HURRICANE SHUTTERS

Permanent shutters are defined as shutters, mounting brackets and/or other architectural elements which are permanently affixed to the dwelling. No plywood or other material product shall be installed on windows or sliding glass doors.

Shutter and hardware color shall be white or consistent with the exterior paint color of the home.

Approved permanent shutters and temporary shutters shall only be permitted to be closed during the time of a hurricane warning and shall be opened or removed within fourteen (14) days after the lifting of said warning.

The homeowner is responsible for replacing any landscaping damaged due to the installation.

Section 39 - PLAYGROUND EQUIPMENT (including trampolines, play houses, swing sets, play netting, etc.)

Generally, all playground equipment shall be installed only in the rear yard. The rear yard is defined as the area created between the side walls of the home if said walls were extended to the rear property line. The ARC may permit playground equipment in side yards if the installation will not be excessively obvious or prominent in a manner that detracts from the overall appearance of the neighborhood or the area around the subject lot. Prior to approval, the ARC shall take into consideration the effect of the installation on neighboring homes.

Playground equipment shall be less than eight (8) feet high at its highest point and placed more than six (6) feet from the property lines and shall be neutral/natural or earth tones in color, if available. Is not responsible for removal as this would transfer to new owners.

Items shall be screened with landscaping to soften or block the view of it from the street, from lake lots and from other neighboring lots. Such landscaping requires prior ARC approval.

The item shall not be placed on any easement.

The item requires approval of the ARC if it is installed permanently or cannot be easily moved. If the item is not removed from the exterior of the property on a daily basis, approval of the ARC shall be required prior to placement.

Portable equipment such as hockey nets and skateboard ramps shall not be left in the front of homes when not in use.

Section 40 - BASKETBALL BACKBOARDS, HOOPS and POLES

The permanent installation of a basketball backboard, hoop, pole, etc, is not permitted.

No portable/movable backboard, hoop, pole, etc, may be kept outside overnight.

Section 41 - NEW CONSTRUCTION

General Provisions:

- a. Construction may only take place between 7:00 am and 6:00 pm, Monday thru Saturday. Contractors shall not be on site on Sundays or the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas.
- b. For individuals and developer/builders submitting ARC applications for new homes on lots, \$5,000 per lot is required as a security deposit for new construction and it must be submitted with the ARC request.
- c. Lots must be maintained prior to and during the construction process. As needed, weeds must be routinely removed, lawns mowed, bushes trimmed, etc.
- d. No animals of any type shall be brought into the community by contractors or sub-contractors.
- e. Neither a sales office nor a field office can be placed within the community.
- f. Modifications can be made by the owner/builder to the original ARC plans of a home relative to upgrades, fencing, pools, elevation changes, etc., which conform to the Architectural Guidelines. Modifications made after issuance of a Certificate of Occupancy must go through the regular ARC process.
- g. No "blanket approvals" will be made for lot owners and/or contractors developing more than one parcel. Each individual home site must have a plan submitted, including elevations, for ARC approval. Colors must conform to those approved by the ARC. However, understanding that construction can begin prior to knowing what color a buyer will choose, the specific color of the home does not have to be specified. However, note that a home cannot be painted the same color as a home on either side of it.
- h. A list of contractors and subcontractors shall be submitted to the Board of Directors. This list must be kept current as only those people listed will be allowed entry without prior approval.

House Plans, Styles and Colors:

- a. Each residence shall have a three car garage.
- b. Each residence shall have a covered front entry way. Homes built on a lake shall have a covered rear patio area. It is preferred that homes built on non-lake lots have a covered rear patio area.

- c. The color of exterior paint, trim, roof tile and pavers shall match that of the existing residences, previously established for the community. (See "Approved Paint Colors".)
- d. The house colors shall be different from the home next to it.
- e. The garage shall be delivered in a color to match the fascia, base or trim of the home. The front door shall be the same color and shall match the fascia, base or trim of the house. ARC approval is required for any exception, including wood faux painting.
- f. Elevations shall be similar and/or blend with existing homes and existing elevations.

Exterior Accessories:

- a. Exterior accessories including lighting, banding, windows and stone work shall match the style of the existing residences, but need not be identical to what exists.
- b. Home numbers shall be placed on the new home in a similar location as existing homes. The format, font, style and size shall match those of the existing homes of the community.
- c. The mailbox and post shall be the same as the existing mailboxes and posts as to style, color, size and location. Mailboxes and posts shall be installed prior to final inspection for a Certificate of Occupancy.
- d. Fences and screened areas shall be bronze in color. Style and material shall conform to that which is outlined in the Architectural Guidelines.

Site Appearance and Maintenance:

- a. All construction refuse must be placed in a construction dumpster on a daily basis.
- b. Work materials must be neatly stacked in order to maintain a tidy and orderly site.
- c. A portable toilet must be placed on the work site at the same time construction begins. It shall be situated away from the road's edge and the door should face the home under construction.
- d. Each home site shall include Live Oak trees in the swale to comply with the existing community plan. It is preferred, but not required, that the size of the tree blends with the existing Live Oaks. The trees shall be warranted for one year and timely replaced, if needed, at no cost to the HOA if they do not survive.

Area Maintenance:

- a. A construction barrier, silt fence, shall be placed along property lines where the site adjoins existing homes, to avoid intrusion and/or damages.
- b. Construction debris shall not be left in the road, on sidewalks or on adjoining lots.
- c. Any debris that blows into the lake must be cleaned up daily.
- d. Lakes may not be used for washing or dumping of any construction related item, material, clean up, etc.
- e. The area in front of and adjacent to a site where a home is being built must be kept clean and swept of debris to avoid mud, dust, and the presence of sharp objects.
- f. Care shall be taken to avoid washing debris, sand and dirt into road drains. If the construction process results in the presence of excess debris, sand or dirt in road drains, removal and clean-up shall be the responsibility of the owner/builder.
- g. If there is a tropical storm warning or hurricane warning, the owner/builder shall be responsible to secure any and all loose materials on the site. The owner/builder shall be responsible for any damage to other properties resulting from materials that were not properly secured.
- h. If exterior paint spraying is to be done, 48 hours personal or written notice must be given to all homes in the general area to allow for removal of cars.

Damage Prevention and Repair:

- a. The owner/builder shall be responsible for all costs associated with any damages.
- b. Any damages sustained within the community as a result of construction, including, but not limited to, damage to the gatehouse, entry and exit gates, roads, sidewalks, curbs, cobblestones, pavers, signage or other lots must be immediately repaired or paid for.

Vehicles:

- a. Construction vehicles must park on the side of the road where the house is being built. If more than one home is being built in the same vicinity and they are on opposite sides, all construction vehicles must park on one side.
- b. No construction vehicles shall be left on site overnight, without prior approval.
- c. All construction vehicles shall proceed at a speed of 20 mph or less.

Signs:

- a. No signs may be placed on a home site during construction, other than permit boards and those required by statute, without prior approval.
- b. Signs shall not be placed on community property without ARC approval.

Access Policy, Adopted 12/2012

General:

Vehicle, Walkway and Clubhouse complex access primarily is provided by vehicle barcode and or proximity card solution. At the discretion of the board of directors, service vendors at the association level may be assigned a PIN for access – such as UPS, FedEx, Postal Service, Police, Fire and utility services. PINs are changed from time to time to prevent unauthorized use.

Vendor services of the a member requires yearly registration and for the most part will be limited to a single proximity card that allows access Monday through Saturday during core business hours and those documents are available for download.

Each property has been assigned (2) proximity access devices, these (2) devices allow 24/7 access to the vehicle entry system and the walkway gate, access hours to the clubhouse complex is limited to 5:00 AM to 10:30 PM. If ownership of a property is transferred or sold, the (2) proximity cards are to be transferred to the new owner at the time of closing. Replacements of cards are \$50.00

Members of the association can be listed in the entrance callbox system to allow access, by an entry that allows the visitor to call the owner and gain access via the phone. Members may list non local telephone numbers (as of 1/2013) if needed and also may be listed more than once to allow for personal flexibility as needed or requested.

Vehicle Barcodes:

Vehicles owned by the titled owner or to the Talavera property address will be given vehicle “window” barcodes that allow access 24/7. In the event an owner drives a specific assigned corporate vehicle, a state/county/city, or local law enforcement/fire vehicle an exception may be granted by the board of directors and a barcode issued as long as vehicles don’t violate an association policy or official document.

Validation of the registration is required and may be requested from time to time. For the most part at the discretion of the board of directors, we will not limit the number of vehicle barcodes as long as the vehicles meet the requirements of the policy and do not cause a system issue.

Additional Proximity Cards:

Members may purchase up to an additional (5) five proximity cards “friends and family” per address that allow access to the vehicle and walkway entrance for \$5.00 per card. These cards for the most part will not be programmed for clubhouse complex access – exceptions may be requested and approved by the board of directors.

Lease:

Upon approval of a property lease, the association will provide a lease tenant up to (3) vehicle barcodes (will be a different color then the owner barcodes) and two proximity cards for access to the community for the period of the lease, the tenant may also be listed in the callbox as requested. Tenants with a valid lease may also purchase “friends and family” cards with the approval of the owner of the property. **Members do not give your owner cards or barcodes to your tenants. Renewal or extension of leases must be provided to the association or access will be removed the 1st business day following the lease term.**

Suspension of Access:

In the event a property is delinquent due to the violation process or other monetary obligations to the association, the association may suspend access to the community by way of the barcode solution and limited access to (2) two proximity cards for the main vehicle and walkway gate. Suspended accounts (including leases) will be limited to one proximity card per registered vehicle, will be removed from the callbox system, will not have access to amenities etc.

Walkway Gates:

Both sides of the walkway gates allow 24/7 access by assigned proximity cards, and the east side gate does allow for a PIN solution that is available during the specific times (such as school drop off windows) and is changed quarterly at the discretion of the board of directors. If a member needs the PIN, please contact the association manager – general communications via the email system will communicate changes to the PIN as required.

*Access policy changes may be approved from time to time by the association Board of Directors.

**CORPORATE RESOLUTION OF THE BOARD OF DIRECTORS OF
TALAVERA ASSOCIATION, INC. ("Association")**

WHEREAS, Section 8.2 of Article 8 of the Declaration of Covenants and Restrictions of Talavera (the "Declaration") provides, in part, as follows:

Automobiles, Vehicles and Boats. Only automobiles, vans constructed as private passenger vehicles with permanent rear seats and side windows, pick-up trucks of a type customarily used as private passenger vehicles with a carrying capacity of 1/2 ton or less, and other vehicles manufactured and used as private passenger vehicles, may be parked within the SUBJECT PROPERTY overnight without the prior written consent of the APPROVING PARTY, unless kept within an enclosed garage. In particular and without limitation, without the prior written consent of the APPROVING PARTY, no truck with more than two axles; no vehicle containing commercial lettering or signs on the outside of the vehicle or commercial equipment outside of the vehicle; and no recreational vehicle, camper, trailer, or vehicle other than a private passenger vehicle as specified above, and no boat, may be parked or stored outside of a UNIT overnight. No overnight parking is permitted on any streets, lawns, or areas other than driveways and garages, without the consent of the APPROVING PARTY. Notwithstanding the foregoing, automobiles owned by governmental law enforcement agencies expressly permitted. The foregoing restrictions shall not be deemed to prohibit the temporary parking of commercial vehicles while making delivery to or from, or while used in connection with providing services to, the SUBJECT PROPERTY. All vehicles parked within the SUBJECT PROPERTY must be in good condition and repair, and no vehicle which does not contain a current license plate or which cannot operate on its own power shall be parked within the SUBJECT PROPERTY outside of an enclosed garage for more than 24 hours, and no major repair of any vehicle shall be made on the SUBJECT PROPERTY. All vehicles parked within the SUBJECT PROPERTY must be painted with colors and in a manner which is customary for private passenger vehicles, and which is not offensive or distasteful in the reasonable opinion of the APPROVING PARTY. No motorcycle, motorbike, moped, all-terrain vehicle, or other such vehicle is permitted to be operated within the SUBJECT PROPERTY unless such vehicle is licensed for street use and equipped with appropriate noise-muffling equipment so that its operation does not create an annoyance to the residents of the SUBJECT PROPERTY, and if the APPROVING PARTY determines the operation of any such vehicle creates an annoyance to the residents of the SUBJECT PROPERTY, then after written demand from the APPROVING PARTY, the vehicle shall not be operated within the SUBJECT PROPERTY.

WHEREAS, the Association's Declaration restricts the overnight parking of certain types of vehicles within the community without Association approval.

WHEREAS, Association approval is required for private passenger pick-up trucks with a carrying capacity of greater than one-half ton ("Restricted Trucks") to be parked within the community overnight, unless such Restricted Trucks are parked inside a garage.

WHEREAS, It has come to the Board of Directors' ("Board") attention that several Restricted Trucks are being maintained within the community overnight in violation of the Declaration.

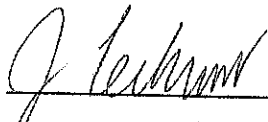
WHEREAS, in order to fashion an equitable remedy, the Board has provided all residents with an opportunity to register their Restricted Trucks by no later than **Monday, October 15, 2012** (the "Registration Deadline").

NOW, THEREFORE, be it resolved:


1. The above recitals are true and correct and are incorporated herein.
2. The Association shall not take any action in connection with Restricted Trucks being maintained on the property overnight or owned by residents, as more particularly described on Exhibit "A" attached hereto, provided such Restricted Trucks do not constitute a nuisance or violate any of the other provisions of the Declaration, Article of Incorporation, By-Laws or the Rules and Regulations, as same may be amended from time to time.
3. As of the Registration Deadline, no resident may maintain a Restricted Truck in the community without the prior written consent of the Association, unless the Restricted Truck is parked within a garage.
4. As of the Registration Deadline, no registered Restricted Trucks may be replaced with another Restricted Truck, unless the Restricted Truck is parked within a garage or is otherwise registered with and approved by the Association.
5. The Board shall take all necessary action to compel owners and residents to cure any violations of the truck restrictions set forth in the Declaration and Rules and Regulations not grandfathered by this resolution or that are discovered at any time after the Registration Deadline.

ADOPTED by the Board of Directors this 22 day of OCTOBER, 2012.

WITNESSES:

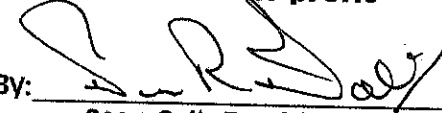


Print Name: Jessica Terhune



Print Name: HEIDI PAGE

**TALAVERA ASSOCIATION, INC., a Florida
corporation not-for-profit**

By: 

Sean Galt, President

J. T. Tamm
Print Name: Jessica Terhune
Heidi Page
Print Name: HEIDI PAGE

By: [Signature]
Carlos Bernal, Secretary

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

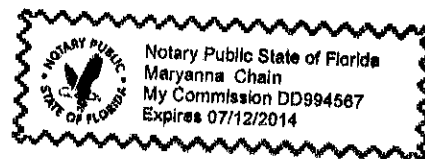
The foregoing Instrument was acknowledged before me this 22 day of October, 2012, by Sean Galt, as President and Carlos Bernal, as Secretary of Talavera Association, Inc., a Florida corporation not-for-profit, on behalf of the corporation. They (are personally known to me) / (have produced _____ as Identification) and (did)/(did not) take an oath.

[Signature]
Notary Public - State of Florida

Print Name: Maryanna Chain

My Commission Expires: _____

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STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office with redactions, if any as required by law.

THIS 6th DAY OF November, 2012
SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY-CLERK